

Application No. 10/690,344

Docket No.: 025058.0101PTLS

**REMARKS**

Applicants appreciate the Examiner's courteous granting of an interview on April 17, 2007 and subsequent calls regarding the application. The subject matter of these communications is incorporated herein. During the interview, the amendments to claims 1 and 41 were discussed as well as distinctions over the Nicastro reference. Applicants also appreciate the Examiner's review of the application as set forth in the Office Action dated March 2, 2007. The Applicant respectfully requests reconsideration and allowance of all claims.

Applicants elect Group I: claims 1 - 34 and 41 - 47. Claims 35 - 40 have been withdrawn from consideration.

**Claim Amendments**

Claims 1 and 41 have been similarly amended to more clearly point out that separate accesses are provided for a first group of users distinct from a second group of users. A first group may not be associated with the managing of public involvement projects. The second group may be associated with the managing of public involvement projects.

Support for the amendments to claim 1 may be found, for example, at paragraph 0039 and FIG. 1. Support for the amendments to claim 41 may be found, for example, at paragraphs 0039 and 0078 and Figures 2 and 7. No new matter has been added by the amendments.

Consideration, entry and allowance of the claims are requested.

**Claims 1 - 24 and 41 - 47 are patentable under 35 U.S.C. 112, second paragraph.**

Independent claims 1 and 41 have been amended to correct antecedent basis as suggested by the Office Action. Therefore, claims 1 - 24 and 41 - 47 are patentable under 35 U.S.C. 112, second paragraph. No new matter has been added by the amendments.

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Claims 1 - 14, 16 - 28, 32 - 34, 41 and 44 - 47 are patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153367) in view of Chemtob (U.S. 7,124,164).

The Examiner's rejection of claims 1 - 14, 16 - 28, 32, - 34, 41 and 44 - 47 over Nicastro in view of Chemtob is respectfully traversed. Withdrawal of the rejections and allowance of the claims are respectfully requested.

*Claims 1 - 14, 16 - 23, 41 and 44 - 47 are patentable over Nicastro in view of Chemtob.*

Claims 1 and 41 have been amended to more clearly indicate that a system or method for managing public communications and public comment involves access by multiple distinct groups. For example, a first group may include individuals not associated with management of public involvement projects or individuals acting in a capacity not associated with management of public involvement projects. A second group may include individuals associated with management of public involvement projects.

Applicants appreciate the Examiner's indication that this distinction is patentable over the prior art of record.

Dependent claims 2 - 14, 16 - 23 and 44 - 47 depend from independent claims 1 and 41 and add further patentable features to the patentable features of the independent claims. Therefore, claims 1 - 14, 16 - 24, 41 and 44 - 47 are patentable over Nicastro in view of Chemtob. Withdrawal of the rejection is requested.

*Claims 24 - 28 are patentable over Nicastro in view of Chemtob.*

Independent claim 24 is patentable over Nicastro in view of Chemtob. Neither Nicastro nor Chemtob teaches all of the elements of claim 24.

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The Office Action cites paragraphs 0095 and 0318 as teaching "an information module further comprising a project overview, project news and project status". See page 9 of the March 2, 2007 Office Action.

However, paragraph 0095 teaches that "application toolsets" include "a Design Toolset 1100, a Procurement Toolset, a Cost Management Toolset, and a Project Teamwork Toolset." See paragraph 0095. "The Design Toolset allows users of the system to input into the system 1000. The Procurement Toolset 1200 includes a Bid/RFQ tool and a Purchase tool. The Cost Management Toolset 1400 provides an Cost Estimate tool, Budgeting tool, a Contract tool, a Payment tool, and an Invoicing tool. Finally, a Project Teamwork Toolset 1600 includes a Collaboration Tool, a Request for Information tool and Meeting Minutes tool. Two other sets of applications are provided—an administration tool set 1300 and a utilities tool set 1400." See paragraph 0096.

None of the "application toolsets" found in paragraphs 0095 - 0096 include an "information module" as described in claim 24. The Design Toolset 1100 allows inputs into the system, the Procurement Toolset 1400 facilitates purchasing supplies and a bidding tool, the Cost Management Toolset 1400 creates documents for use by contractors, and the Project Teamwork Toolset 1600 provides means for members of the project team to communicate. For example, the Project Teamwork Toolset 1600 provides a collaboration tool that allows "file sharing, messaging, comments, and discussions for each project." See paragraph 0232. None of these modules provide "a project overview, project news and project status" as required in claim 24.

Paragraph 0318 teaches a report manager to create, run, define and access reports.

Neither paragraph 0295 nor 0318 teach "an information module further comprising a project overview, project news and project status".

The Office Action cites paragraphs 0228, 0229 and 0252 of Nicastro as teaching "a project team module further comprising a task manager, calendar, team access management, team communications and image manager". See page 9 of the March 2, 2007 Office Action.

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However, paragraphs 0228 - 0229 of Nicastro teach "a complete electronic process to manage and control asset and lifecycle cost" for creating a "searchable project record". See paragraph 0029. Paragraph 0252 teaches adding "submittals for items; tasks and calendar items linked to business objects in the system; as-builts for items; and the like." See paragraph 0252.

Paragraphs 0228 - 0229 and 0252 do not teach all of the elements of a "project team module" as found in claim 24. For example, the cited paragraphs of Nicastro do not teach a task manager, team communications or an image manager.

The Office Action cites paragraphs 0231 and 0232 of Nicastro as teaching "a communications tools module", but notes that "Nicastro does not explicitly teach 'further comprising one or more message boards and web conferencing'." See page 10 of the March 2, 2007 Office Action. The Office Action then cites C. 8, I. 45 - C. 9, I. 7 of Chemtob as teaching "one or more message boards and web conferencing." See page 10 of the March 2, 2007 Office Action.

However, neither reference individually nor the combined references not teach the communications tools module as defined in claim 24. For example, Chemtob at C. 8, I. 45 - C. 9, I. 7 teaches a "virtual meeting room" that is "spontaneously accessible to selected ones of the client computers. See C. 8, II. 62 - 65. A virtual meeting room as described in Chemtob is not the same as either message boards or web conferencing as required in claim 24.

The Office Action cites paragraphs 0292, 0293, 0236 and 0257 of Nicastro as teaching a "site management tools module further comprising web site content updating, document library, image library, project dictionary, event calendar and internal maintenance". See page 10 of the March 2, 2007 Office Action.

However, paragraphs 0292 - 0293 teach a project setup tool to add relevant data to a project. FIG. 8 illustrates a project setup as a flowchart mapping the procedure for running an online construction system. Paragraph 0236 teaches a collaboration tool, used with a different module than that cited for this element in the Office Action, which allows "file sharing, messaging, comments, and discussions for each project." Paragraph 0257 teaches that a

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"Company Administrator" is responsible for "setting up licensing, company information, company defaults, subsequent users, vendors, and so forth."

None of these cited paragraphs teach the limitations of claim 24, namely, a "site management tools module further comprising web site content updating, document library, image library, project dictionary, event calendar and internal maintenance".

Therefore, since the cited references do not individually, or in combination, teach all of the elements of claim 24, the claim is patentable over Nicastro in view of Chemtob.

Dependent claims 25 - 28 depend from independent claim 24 and add further patentable features to the patentable features of the independent claim. Therefore, claims 24 - 28 are patentable over Nicastro in view of Chemtob.

*Claims 32 - 34 are patentable over Nicastro in view of Chemtob.*

Independent claims 24 and 32 are also patentable over Nicastro in view of Chemtob. Neither Nicastro nor Chemtob teaches all of the elements of claim 32.

The Office Action cites paragraphs 0302, 0095 and 0318 as teaching "an information module for welcoming a user and referencing permission level access, wherein the information module further comprises a project overview, project news and project status". See page 11 of the March 2, 2007 Office Action.

However, paragraph 0302 teaches entering additional sub-contractors as team members by adding company information to a "project partners setup" and assigning a partner a role in the construction or maintenance of a real estate project. See paragraph 0302. This is distinct from the information module of claim 32 because the "project partners setup" is an invitation system to add subcontractors while the "information module" of claim 32 allows for distribution of information to existing team members and/or the public-at-large in a public comment-type application.

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Paragraph 0095 teaches that "application toolsets" include "a Design Toolset 1100, a Procurement Toolset, a Cost Management Toolset, and a Project Teamwork Toolset." See paragraph 0095. "The Design Toolset allows users of the system to input into the system 1000. The Procurement Toolset 1200 includes a Bid/RFQ tool and a Purchase tool. The Cost Management Toolset 1400 provides an Cost Estimate tool, Budgeting tool, a Contract tool, a Payment tool, and an Invoicing tool. Finally, a Project Teamwork Toolset 1600 includes a Collaboration Tool, a Request for Information tool and Meeting Minutes tool. Two other sets of applications are provided--an administration tool set 1300 and a utilities tool set 1400." See paragraph 0096.

None of the "application toolsets" found in paragraphs 0095 - 0096 include an "information module" as described in claim 32. The Design Toolset 1100 allows inputs into the system, the Procurement Toolset 1400 facilitates purchasing supplies and a bidding tool, the Cost Management Toolset 1400 creates documents for use by contractors, and the Project Teamwork Toolset 1600 provides means for members of the project team to communicate. For example, the Project Teamwork Toolset 1600 provides a collaboration tool that allows "file sharing, messaging, comments, and discussions for each project." See paragraph 0232. None of these modules provide "a project overview, project news and project status" as required in claim 32.

Paragraph 0318 teaches a report manager to create, run, define and access reports.

Neither paragraphs 0302, 0295 nor 0318 teach "an information module for welcoming a user and referencing permission level access, wherein the information module further comprises a project overview, project news and project status".

The Office Action cites paragraphs 0228, 0229 and 0252 of Nicaastro as teaching "a project team module for coordinating and informing team members, wherein the project team module further comprises a task manager, calendar, team access management, team communications and image manager". See page 12 of the March 2, 2007 Office Action.

However, paragraphs 0228 - 0229 of Nicaastro teach "a complete electronic process to manage and control asset and lifecycle cost" for creating a "searchable project record". See

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paragraph 0029. Paragraph 0252 teaches adding "submittals for items; tasks and calendar items linked to business objects in the system; as-builts for items; and the like." See paragraph 0252.

Paragraphs 0228 - 0229 and 0252 do not teach all of the elements of a "project team module" as found in claim 32. For example, the cited paragraphs of Nicastro do not teach a task manager, team communications or an image manager.

The Office Action cites paragraphs 0495 of Nicastro as teaching "a communications tools module for facilitating information transfer, wherein the communications tools module further comprises one or more message boards and web conferencing", but notes that "Nicastro does not explicitly teach 'further comprising one or more message boards and web conferencing'." See page 12 of the March 2, 2007 Office Action. The Office Action then cites C. 8, l. 45 - C. 9, l. 7 of Chemtob as teaching "one or more message boards and web conferencing." See page 10 of the March 2, 2007 Office Action.

Paragraph 0495 describes a purchase order system where details of each item for purchase are saved and added to a purchase order. Applicants are unclear as to the reason for this citation. Clarification is requested.

Neither reference individually nor the combined references not teach the communications tools module as defined in claim 24. For example, Chemtob at C. 8, l. 45 - C. 9, l. 7 teaches a "virtual meeting room" that is "spontaneously accessible to selected ones of the client computers. See C. 8, ll. 62 - 65. A virtual meeting room as described in Chemtob is not the same as either message boards or web conferencing as required in claim 32.

The Office Action cites paragraphs 0292, 0293, 0236 and 0257 of Nicastro as teaching a "site management tools module for updating communications work environments and global settings, wherein the site management tool further comprises web site content updating, document library, image library, project dictionary, event calendar and internal maintenance". See page 10 of the March 2, 2007 Office Action.

However, paragraphs 0292 - 0293 teach a project setup tool to add relevant data to a project. FIG. 8 illustrates a project setup as a flowchart mapping the procedure for running an

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online construction system. Paragraph 0236 teaches a collaboration tool, used with a different module than that cited for this element in the Office Action, which allows "file sharing, messaging, comments, and discussions for each project." Paragraph 0257 teaches that a "Company Administrator" is responsible for "setting up licensing, company information, company defaults, subsequent users, vendors, and so forth."

None of these cited paragraphs teach the limitations of claim 32, namely, a "site management tools module further comprising web site content updating, document library, image library, project dictionary, event calendar and internal maintenance".

Therefore, since the cited references do not individually, or in combination, teach all of the elements of claim 32, the claim is patentable over Nicastro in view of Chemtob.

Dependent claims 33 - 34 depend from independent claim 32 and add further patentable features to the patentable features of the independent claim. Therefore, claims 32 - 34 are patentable over Nicastro in view of Chemtob.

As such, claims 1 - 14, 16 - 28, 32, - 34, 41 and 44 - 47 are patentable over Nicastro in view of Chemtob. Withdrawal of the rejection is respectfully requested.

Claim 15 is patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Chemtob (U.S. 7,124,164) and further in view of Estrada (U.S. Patent Publication No. 2003/0135565).

The Examiner's rejection of claim 15 over Nicastro in view of Chemtob and further in view of Estrada is respectfully traversed.

Claim 15 depends from independent claim 1. Claim 15 adds the further patentable limitation "wherein work product is published on a Website substantially concurrently with its generation to invite public comments to complete a feedback loop" to the patentable features of independent claim 1. At least for reasons discussed above, independent claim 1 is patentable over Nicastro in view of Chemtob.



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Therefore, dependent claim 15, which depends from independent claim 1, is allowable over Nicastro in view of Chemtob and further in view of Estrada. Withdrawal of the rejections and allowance of the claims are respectfully requested.

Claim 29 is patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Chemtob (U.S. 7,124,164) and further in view of Cochran (U.S. Patent Publication No. 2004/0030697).

The Examiner's rejection of claim 29 over Nicastro in view of Chemtob and further in view of Cochran is respectfully traversed.

Claim 29 depends from claim 28, which in turn depends from claim 26, which in turn depends from independent claim 24. Claim 29 adds the further patentable limitations to the patentable features of independent claim 24. At least for reasons discussed above, independent claim 24 is patentable over Nicastro in view of Chemtob.

Therefore, dependent claim 29, which depends from independent claim 24, is allowable over Nicastro in view of Chemtob and further in view of Cochran. Withdrawal of the rejections and allowance of the claims are respectfully requested.

Claim 30 is patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Chemtob (U.S. 7,124,164) and further in view of Cochran (U.S. Patent Publication No. 2004/0030697) and further in view of Sellers (U.S. 5,311,438).

The Examiner's rejection of claim 30 over Nicastro in view of Chemtob and further in view of Cochran and further in view of Sellers is respectfully traversed.

Claim 30 depends from claim 29, which in turn depends from claim 28, which in turn depends from claim 26, which in turn depends from independent claim 24. Claim 30 adds the further patentable limitation "wherein a proposed rule is modified in response to the comment report" to the patentable features of independent claim 24. At least for reasons discussed above,

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independent claim 24 is patentable over Nicastro in view of Chemtob.

Therefore, dependent claim 30, which depends from independent claim 24, is allowable over Nicastro in view of Chemtob and further in view of Cochran and further in view of Sellers. Withdrawal of the rejections and allowance of the claims are respectfully requested.

Claims 42 - 43 are patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Chemtob (U.S. 7,124,164) and further in view of Sellers (U.S. 5,311,438).

The Examiner's rejection of claims 42 - 43 over Nicastro in view of Chemtob and further in view of Sellers is respectfully traversed.

Claim 42 depends from independent claim 41. Claim 42 adds the further patentable limitation "wherein a proposed rule is modified in response to the comment report" generating a modified proposal based upon reviewing the one or more comments" to the patentable features of independent claim 41. Claim 43 adds the further patentable limitation "recreating, reposting or revising the proposal of public interest" to the patentable features of independent claim 41. At least for reasons discussed above, independent claim 41 is patentable over Nicastro in view of Chemtob.

Therefore, dependent claims 42 - 43, which depend from independent claim 41, are allowable over Nicastro in view of Chemtob and further in view of Sellers. Withdrawal of the rejections and allowance of the claims are respectfully requested.

Claim 30 is patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Chemtob (U.S. 7,124,164) and further in view of Cochran (U.S. Patent Publication No. 2004/0030697) and further in view of Chappel (U.S. Patent Publication No. 2003/0101089).

The Examiner's rejection of claim 30 over Nicastro in view of Chemtob and further in

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view of Cochran and further in view of Chappel is respectfully traversed.

Claim 30 depends from claim 29, which in turn depends from claim 28, which in turn depends from claim 26, which in turn depends from independent claim 24. Claim 30 adds the further patentable limitation "wherein a proposed rule is modified in response to the comment report" to the patentable features of independent claim 24. At least for reasons discussed above, independent claim 24 is patentable over Nicaastro in view of Chemtob.

Therefore, dependent claim 30, which depends from independent claim 24, is allowable over Nicaastro in view of Chemtob and further in view of Cochran and further in view of Chappel. Withdrawal of the rejections and allowance of the claims are respectfully requested.

Claims 42 - 43 are patentable under 35 U.S.C. 103(a) over Nicaastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Chemtob (U.S. 7,124,164) and further in view of Chappel (U.S. Patent Publication No. 2003/0101089).

The Examiner's rejection of claims 42 - 43 over Nicaastro in view of Chemtob and further in view of Chappel is respectfully traversed.

Claim 42 depends from independent claim 41. Claim 42 adds the further patentable limitation "wherein a proposed rule is modified in response to the comment report" generating a modified proposal based upon reviewing the one or more comments" to the patentable features of independent claim 41. Claim 43 adds the further patentable limitation "recreating, reposting or revising the proposal of public interest" to the patentable features of independent claim 41. At least for reasons discussed above, independent claim 41 is patentable over Nicaastro in view of Chemtob.

Therefore, dependent claims 42 - 43, which depend from independent claim 41, are allowable over Nicaastro in view of Chemtob and further in view of Chappel. Withdrawal of the rejections and allowance of the claims are respectfully requested.

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Claim 31 is patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Chemtob (U.S. 7,124,164) and further in view of Sellers (U.S. 5,311,438).

The Examiner's rejection of claim 31 over Nicastro in view of Chemtob and further in view of Sellers is respectfully traversed.

Claim 31 depends from independent claim 24. Claim 31 adds the further patentable limitations to the patentable features of independent claim 24. At least for reasons discussed above, independent claim 24 is patentable over Nicastro in view of Chemtob.

Therefore, dependent claim 31, which depends from independent claim 24, is allowable over Nicastro in view of Chemtob and further in view of Sellers. Withdrawal of the rejections and allowance of the claims are respectfully requested.


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Applicant believes no further fees are due with this response. However, if further fees are due, please charge our Deposit Account No. 50-2228, under Order No. 025058.0101PTUS from which the undersigned is authorized to draw.

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Respectfully submitted,

By   
Michele V. Frank  
Registration No.: 37,028  
PATTON BOGGS LLP  
8484 Westpark Drive, 9th Floor  
McLean, Virginia 22102  
(703) 744-8000  
(703) 744-8001 (Fax)  
Attorney for Applicant

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